

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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U.S. DISTRICT COURT
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VICTOR M. PEREZ-BERMUDEZ, et
als.

Plaintiffs

CIVIL NO. 97-2049 (JAG)

v.

HECTOR LOPEZ-RIVERA

Defendant

JUDGMENT

On August 5, 2002, defendant Hector Lopez Rivera, filed a bankruptcy petition which stayed the present proceedings (Docket # 69). As noted by the United States Supreme Court, "(c)ourts are vested with an inherent power to control and manage their own affairs so as to achieve early and expeditious disposition of cases." Link v. Wabash Railroad Co., 370 U.S. 626, 630-31 (1962). Moreover, the First Circuit has noted that "in a period of overload dockets, prejudice to the court is inherent in needless delays and postponements." Chuang Investments v. Eagle Inns, Inc., 81 F3d 13 (1st Cir. 1996).

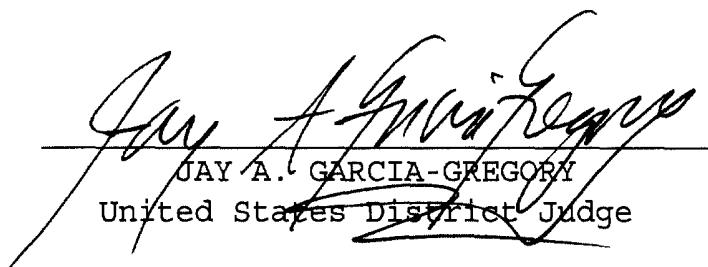
In view of the pending bankruptcy action and the uncertainty and length of said proceedings, the above captioned complaint is

(3) (h3) (4)

hereby **DISMISSED WITHOUT PREJUDICE.** This dismissal will not affect in any manner plaintiff's pending claims against defendants. Upon conclusion of the bankruptcy proceedings, or the lifting of the stay, plaintiffs may file a petition to reinstate the proceedings in this case. Plaintiffs' petition for reinstatement shall not be deemed as a new filing. Colon Prieto v. Geigel, 111 D.P.R. 232 (1984). Rather, the petition will be effective *nunc pro tunc* to the date of the original filing. Judgement is hereby entered accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 9th day of August 2002.



JAY A. GARCIA-GREGORY
United States District Judge